



Charles M. Walker

U.S. Bankruptcy Judge

Dated: 10/23/2018



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

CYNTHIA FOSTER BROWNING,

Debtor(s).

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Bk. No. **15-09120-CW3-13**

Chapter 13

Judge Charles M. Walker

ORDER DENYING DEBTOR'S APPLICATION TO UTILIZE INSURANCE PROCEEDS,
INCUR DEBT TO PURCHASE REPLACEMENT VEHICLE, AND MODIFY THE PLAN

This matter came to be heard on October 17, 2018 upon the debtor's application styled as a Motion to Utilize Insurance Proceeds but containing provisions which would authorize the debtor to utilize insurance proceeds, authorize the debtor to incur post-petition debt, and authorize the debtor to modify the plan. Neither the motion to incur debtor nor the application to modify the plan were disclosed on the heading of the motion or the docket entry. The Court finds that notice was not accurate given this deficiency. It is therefore

ORDERED, the debtor's Motion to Utilize Insurance Proceeds and related relief is denied, without prejudice, for the debtor to seek such relief with appropriate motions and adequate notice.

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE
TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019
615-244-1101; Fax 615-242-3241
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 23rd day of October, 2018, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee
Rothschild & Ausbrooks, Counsel for Debtor

By U. S. Postal Service, postage prepaid to:

Cynthia F. Browning, 3518 Whitebud Lane, Murfreesboro, TN 37128

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.